



Summary of

Kát'odeeche First Nation Individual Agreement

Kát'odeeche First Nation members will vote on whether or not to take over land management on its reserve land from (CIRNAC) Crown Indigenous Relations and Northern Affairs Canada. If Kát'odeeche First Nation members approve the KFN Land Law and the Individual Agreement, the land management sections of the *Indian Act* will no longer apply to Kát'odeeche First Nation reserve land.

Canada would retain liability for land management decisions and environmental issues prior to the KFN Land Law takes effect. The Individual Agreement is an important part of our Land Law process because it is an agreement between Canada and Kát'odeeche First Nation that sets out the specifics of the transfer of management of reserve land. The Individual Agreement has 12 sections and 7 attached documents which are called "Annexes".

SECTION 1 INTERPRETATION:

This section defines the terms that are used and confirms that words used in the Individual Agreement, have the same meaning as set out in the documents which established the KFN Land Law process for all First Nations in Canada: namely, the Framework Agreement and the *First Nations Land Management Act*. including identifying the reserve lands that will be transferred.

SECTION 2 INFORMATION PROVIDED BY CANADA:

This section confirms that Canada has provided Kát'odeeche First Nation the with all of the information in its possession regarding dispositions of reserve lands, environmental issues on reserve lands and any similar information. Land interests and dispositions are set out in "Annex C".

SECTION 3 TRANSFER OF LAND ADMINISTRATION:

This section sets out the date that KFN Land Law comes into force. Kát'odeeche First Nation will have the power to manage its reserve land in accordance with section 18 of the *Land Management Act* and clause 12 of the *Framework Agreement*. On the coming of force of the KFN Land Law, Canada will transfer to Kát'odeeche all of the rights and obligations of Canada in relation to Kát'odeeche First Nation reserve land.

SECTION 4 ACCEPTANCE OF TRANSFER OF LAND ADMINISTRATION:

This section declares that Kát'odeeche First Nation accepts the transfer of land administration and management from Canada and that the land management sections of the *Indian Act* will no longer apply to Kát'odeeche First Nation reserve land.

SECTION 5 OPERATIONAL FUNDING:

This section Canada commits to provide funding and resources for managing the reserve lands in accordance with the funding formula set forth in this agreement. The initial annual funding amount provided will be \$277,730.00 plus an additional \$75,000 for transitional and environmental funding, over the next 2 years as set out in Annex "A".

SECTION 6 TRANSFER OF REVENUES:

This section states Canada is required to transfer to Kátł'odeeche First Nation any monies that is held in trust for the use and benefits of Kátł'odeeche First Nation, and any revenues it receives from reserve lands. The initial transfer amount is set out in Annex "B" (\$950,413.95 as of June 2, 2020).

SECTION 7 NOTICE TO THIRD PARTY OF TRANSFER OF ADMINISTRATION:

This section states once Kátł'odeeche First Nation members vote in favour of the KFN Land Law and Individual Agreement we must give written notice to all third-party interests who have a legal interest on reserve land (such as a lease or permit), that indicates the administration of Kátł'odeeche First Nation reserve land has been transferred to Kátł'odeeche First Nation and will collect revenue from those interest in the future.

SECTION 8 INTERIM ENVIRONMENTAL ASSESSMENT PROCESS:

This Section sets forth an environmental assessment process that will apply to projects on Kátł'odeeche First Nation reserve land until Kátł'odeeche First Nation may decide to enact its own laws on environmental assessments and standards through the KFN Land Law.

SECTION 9 AMENDMENTS:

This section states that the Individual Agreement can be amended if it is agreed to and done in writing by Canada and Kátł'odeeche First Nation.

SECTION 10 NOTICES BETWEEN PARTIES:

This section sets out how Canada and Kátł'odeeche First Nation will contact each other in the future for sending letters or notices.

SECTION 11 DISPUTE RESOLUTION:

This section declares that the dispute resolution process from the Framework Agreement apply to the Individual Agreement.

SECTION 12 DATE OF COMING INTO FORCE:

This section sets out that the Individual Agreement will come into force on the same date as the KFN Land Law.